

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ANTONIO FREEMAN, #1512080,

Plaintiff,

V.

WARREN CROSBY, et al.,

Defendants.

Case No. 6:22-cv-291-JDK

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Antonio Freeman, a Texas Department of Criminal Justice inmate proceeding pro se, and seeking to proceed *in forma pauperis*, filed this civil rights lawsuit complaining of alleged violations of his constitutional rights. The case was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law, and recommendations for disposition.

Judge Mitchell issued a Report (Docket No. 4) recommending that Plaintiff's motion for leave to proceed in *forma pauperis* (Docket No. 2) be denied—and that this lawsuit be dismissed, without prejudice, until Plaintiff pays his sanctions imposed by the Northern District of Texas and demonstrates proof that he satisfied those sanctions. A copy of this Report was sent to Plaintiff, and he received a copy of the Report. Docket No. 5. No objections were received.

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and

Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, Plaintiff has not filed objections, and the objection period expired. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court **ADOPTS** the Report of the United States Magistrate Judge (Docket No. 4) as the findings of this Court. It is therefore **ORDERED** that Plaintiff's motion for leave to proceed *in forma pauperis*, (Docket No. 2), is **DENIED**. This case is **DISMISSED** without prejudice until Plaintiff pays his sanctions imposed by the Northern District of Texas and demonstrates proof of his doing so.

Any and all motions which may be pending in this case are **DENIED**.

So ordered and signed on this

Jan 10, 2025

A handwritten signature in black ink, appearing to read "Jeremy D. Kernodle", is written over a horizontal line.

JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE